



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/256,647  
Applicant : Gigi CHU et al.  
Filed : February 23, 1999  
TC/A.U. : 2153  
Examiner : Dinh, Dung C.  
Confirmation No. : 1090  
Docket No. : 2212.0018C  
Customer No. : 27896  
Title : NETWORK MONITORING SYSTEM

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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Technology Center 2100

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Pursuant to the duty imposed by 37 C.F.R. §1.56 to disclose information which may be material to the patentability of the above-identified patent application, the Applicant(s) would like to direct the Examiner's attention to the documents listed on the enclosed Information Disclosure Citation Form (PTO/SB/08). In accordance with this duty of disclosure, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.

The subject Information Disclosure Statement is being filed without copies of the listed U.S. Patents and/or U.S. patent application publications pursuant to the waiver of the requirement under 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of the listed foreign patent documents and/or non-patent literature are enclosed herewith.

No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.

Publication(s) \_\_\_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_\_\_ application serial no. \_\_\_\_\_ and mailed on \_\_\_\_\_.

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- Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_\_(copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) \_\_\_\_ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) \_\_\_\_ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. \_\_\_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

The Commissioner is hereby authorized to charge payment of any fees required for the above-identified application or credit any overpayment to Deposit Account No. 05-0460.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 3/16/04

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By:

Respectfully submitted by  
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\_\_\_\_\_  
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Reg. No. 39,189

Please type a plus sign (+) inside this box ➔

+

PTO/SB/08A (08-00)

A circular stamp with the word 'OPIE' at the top, 'TRADEMARK OFFICE' at the bottom, and 'MAR 1 6 2004' in the center. To the right of the date, 'JC98' is handwritten vertically.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	09/256,647
				Filing Date	February 23, 1999
				First Named Inventor	Gigi Chu
				Group Art Unit	2153
				Examiner Name	Dinh, Dung C.
Sheet	1	of	1	Attorney Docket Number	2212.0018C

## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**1 Unique citation designation number**

<sup>2</sup> See attached Kinds of U.S. Patent Documents

<sup>3</sup> Enter Office that issued the document by the two-letter code (WIPO Standard ST 3).

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

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5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16, if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.